



Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807

Telephone: (812) 462-3354

Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: June 8, 2017

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #23-17

CERTIFICATION DATE: June 7, 2017

TO: The Honorable Common Council of the City of Terre Haute

Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 23-17. This Ordinance is a rezoning of the property located at 2955 South 9 ½ Street.. The Petitioner, S.E.R.C., Inc., petitions the Plan Commission to rezone said real estate from zoning classification R-1 to C-2, Community Commerce District, for a extension of auto repair and service.. The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 23-17 at a public meeting and hearing held Wednesday, June 7, 2017. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 23-17 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 23-17 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 23-17 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) Visual screening of existing parking areas be installed; 2) All outdoor storage be compliant with Sec. 10-218(2); 3) A detailed Site Plan be submitted and approved by City Engineering showing the required 50 foot buffer area against residential; 4) City Code Enforcement be consulted on their desired approach to bringing the West property into compliance; 5) Plan be put in place to bring the western property into compliance.

A handwritten signature in dark ink, appearing to read "Fred L. Wilson", is written over a horizontal line.

Fred L. Wilson, President

A handwritten signature in dark ink, appearing to read "Jared Bayler", is written over a horizontal line.

Jared Bayler, Executive Director

Received this 8th day of June, 2017

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 23-17

Doc: # 37

Date: June 7, 2017

Page 1 of 5

APPLICATION INFORMATION

Petitioner: S.E.R.C, Inc.

Property Owner: Same-As-Above

Representative: Richard J. Shagley II

Proposed Use: Extension of Auto Repair and Service Business

Proposed Zoning: C-2, Community Commerce District

Current Zoning: R-1, Single Family Residence District

Location: The property is located approximately 148 ft. north of the intersection of Margaret Avenue and S. 9 ½ Street.

Common Address: 2955 S. 9 ½ Street, Terre Haute, Indiana 47802

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute

Guiding Policies: **Neighborhood Enhancement**

Areas that qualify as Neighborhood Enhancement, represent residential areas with aging housing stock, older industrial areas that are in need of reinvestment, and neighborhood commercial nodes that need assistance in meeting modern development standards. These areas are primarily located within the Terre Haute, West Terre Haute, Seelyville, and Riley.

In regards to residential neighborhoods that are in need of rehabilitation, they should receive priority efforts with respect to public improvements such as drainage, sidewalks, street, curb and gutter repair and replacement, and landscaping in the public rights-of-way. Where appropriate, new residential infill projects should be considered a high priority for undeveloped parcels. Over time incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.

Over time, it is reasonable to expect some displacement of existing industrial facilities, either because of functional and competitive obsolescence of facilities themselves or because corporate restructuring. As facilities are displaced, facility reuse plans or site redevelopment plans should be prepared. In some cases, industrial

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 23-17

Doc: # 37

Date: June 7, 2017

Page 2 of 5

reuse or redevelopment may not be appropriate, for example in older core of the City of Terre Haute.

Neighborhood commercial areas are small scale, retail activity clusters or planned centers that serve limited market areas – typically 4,000 to 10,000 people. They provide shopping opportunities for those most frequently purchased goods and services. Neighborhood commercial areas should be distributed throughout the community in relationship to the distribution of households. Each neighborhood commercial center should be a master planned commercial development that is contained within a defined tract or land area. Auto ingress and egress must be controlled. Most importantly, these areas should relate to surrounding residential neighborhoods but not adversely impact the livability of those neighborhoods through traffic, lighting, noise, litter, or other impacts. They will require strong buffering and landscape regulations, as well as being architecturally harmonized and able to blend with their neighborhood context.

Additional policies for Neighborhood Enhancement Areas should include:

- Encourage infill development that is compatible with the land use mix and intensity of existing development.
- Support preservation and rehabilitation of historic properties.
- Incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.
- Identify areas that need sub-area plans and prioritize the development of those plans by area.
- Allow for a range of housing densities based on the zoning ordinance.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.

Available Services: Area is well served by utilities.

Street Access: S. 9 ½ Street

Dev. Priority: This area is a high intensity residential area.

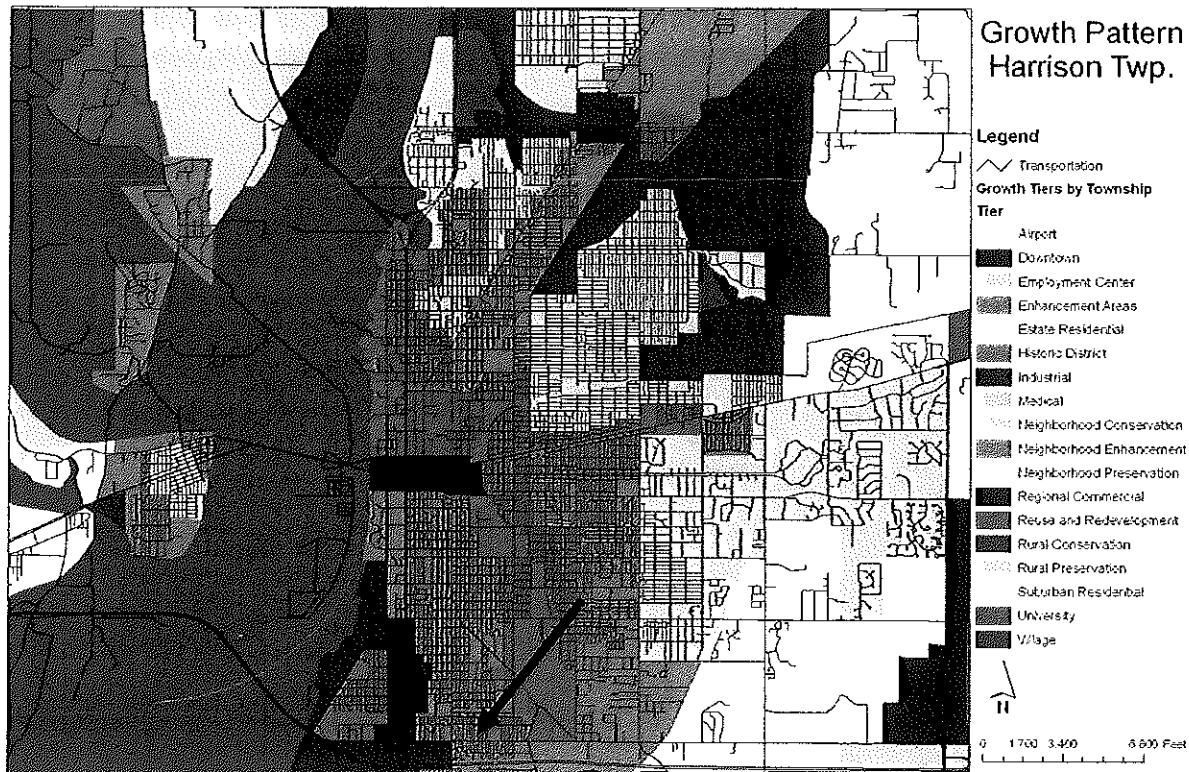
STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 23-17

Doc: # 37

Date: June 7, 2017

Page 3 of 5



ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-1, Residential District
East – R-1, Residential District
South – C-2, Community Commerce District
West – R-1, Residential District

ZONING REGULATIONS

C-2 Purpose:

The Community Commerce Zone is designed for the residents of the nearby community consisting of more than one (1) of the neighborhoods in that section of the city, so as to permit a wider variety of both business uses and services. It is designed not for an abutting neighborhood, but for a relatively larger consumer population for both daily and occasional shopping. The development is characterized by a lack of “comparison shopping” and is limited to providing only one (1) store for each type of business.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 23-17

Doc: # 37

Date: June 7, 2017

Page 4 of 5

- C-2 Uses: Amusement establishments, bowling alleys, pool halls, swimming pools, dance halls, and skating rinks, Any use permitted in the C-1 Zone except as otherwise provided in this Chapter, Antique shops, Art galleries, but not including auction rooms, Banks and financial institutions, Bicycle sales, rental, and repair stores, Blue-printing and photostating establishments, Books and stationery stores, Camera and photographic supply stores, Candy and ice cream stores, Leather goods and luggage stores, Loan offices, Locksmith shops, Medical and dental clinics, Meeting halls, Millinery shops, Municipal or privately-owned recreation buildings or community-center, Musical instrument sales and repair, Newspaper distributors for home delivery and retail sale, Office supply stores, Offices, business and professional, Optometrists, Paint and wallpaper stores, Restaurants. Liquor may be served if incidental to the serving of food as the principal activity. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07), Live entertainment. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07)
- C-2 Standards: Minimum Lot Size: 3,300 Sq. Ft.
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FINDINGS and RECOMMENDATION

Staff Findings:

The property owners have requested to rezone the adjoining residential property to the north to allow for a building expansion. Careful site planning will be required. The C-2 zoning has a max building size of 10,000 sq. ft. Also, a 50 ft. buffer against residences must be maintained. Currently there is outdoor storage of containers of unknown substances. Outdoor storage is permitted in a C-2 but it must be screened from view by any public street, park, or other public place, any residential zone, or any permitted ground floor residential use within three hundred feet (Sec. 10-218(2)). No screening of the storage is present as is evident by the photos included. Visual screening of parking areas needs to be installed and maintained.

The property to the west appears as if it is used as parking for the business. Several issues face this location. It may need to be rezoned to match the business zoning, a special exception for off-site-parking will need approved through the city BZA and it

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 23-17

Doc: # 37

Date: June 7, 2017

Page 5 of 5

will need to be hard surfaced. Visual screening will need to be implemented.

Recommendation: Staff has a Favorable Recommendation on the C-2 Community Commercial District at this location with the following conditions.

1. Visual screening of existing parking areas be installed.
2. All outdoor storage be compliant with Sec. 10-218(2)
3. A detailed site plan be submitted and approved by City Engineering showing the required 50ft. buffer area against residential.
4. City Code Enforcement be consulted on their desired approach to bringing the west property into compliance
5. Plan be put in place to bring the western property into compliance.